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 JANI-KING OF CALIFORNIA, INC., JANI-KING, INC.,
 and JANI-KING INTERNATIONAL, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

CESAR GARCIA, an individual,

Plaintiff,

v.

JANI-KING OF CALIFORNIA, INC., a Texas
 corporation; JANI-KING, INC., a Texas
 corporation; JANI-KING INTERNATIONAL,
 INC., a Texas corporation,

Defendants.

No. C-10-05477 RS

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING DEADLINES
 FOR FACT AND EXPERT
 DISCOVERY CUTOFFS AND FOR
 PARTICIPATION IN ADR**

1 Pursuant to Civil Local Rule 6-2, Plaintiff Cesar Garcia ("Plaintiff") and Defendants Jani-
2 King of California, Inc., Jani-King, Inc., and Jani-King International, Inc. (collectively
3 "Defendants") hereby state as follows:

4 1. On April 21, 2011, in its Case Management Scheduling Order (Dkt. 34), the Court
5 ordered the parties to:

6 a. Participate in private ADR through JAMS or a similar provider to be held
7 by December 1, 2011, if possible;

8 b. Complete all non-expert discovery on or before December 12, 2011; and

9 c. For Plaintiff to disclose his expert testimony and reports on or before
10 January 9, 2012, for Defendants to disclose their expert testimony and reports on or before
11 February 6, 2012, and for all expert discovery to be completed on or before March 9, 2012.

12 2. The parties have met and conferred and agree that they need to complete their
13 factual discovery, including depositions, and then hold the mediation. The parties have selected
14 Mark Rudy as the mediator in this matter, and after determining Mr. Rudy's availability, have
15 agreed to hold the mediation on January 27, 2012.

16 3. Accordingly, to accommodate the mediation on January 27, 2012, the parties
17 propose to the Court and hereby stipulate to the following adjustments to the case schedule:

18 a. The parties will participate in mediation in this case on or before January 30,
19 2012;

20 b. All non-expert discovery shall be completed on or before December 22,
21 2011; and

22 c. Plaintiff shall disclose his expert testimony and reports on or before January
23 30, 2012, Defendants shall disclose their expert testimony and reports on or before February 24,
24 2012, and all expert discovery shall be completed on or before March 9, 2012.

25 4. Under this revised schedule, the parties will be able to finish the non-expert
26 discovery in December, accommodate the Mediation session with Mr. Rudy on January 27, 2012,
27 and then, if necessary, engage in and complete the expert discovery process by March 9, 2012, as
28 previously order by the Court.

1 5. Importantly, this revised schedule does not delay or affect the Court's previously
2 set dates and schedule for the March 8, 2012 Further Case Management Conference, the April 12,
3 2012 hearing on pretrial motions, or the other pretrial and trial dates.

4 6. Accordingly, for good cause shown, the parties respectfully request that the Court
5 approve the modifications to the case schedule described above.

6
7 Dated: November 21, 2011

Respectfully submitted,

8 BARTKO ZANKEL TARRANT & MILLER

9 FAEGRE & BENSON, LLP

10
11 By: /s/ Benjamin K. Riley
12 Benjamin K. Riley
13 Attorneys for Defendants
14 JANI-KING OF CALIFORNIA, INC., JANI-
15 KING, INC., and JANI-KING
16 INTERNATIONAL, INC.

17
18 Dated: November 21, 2011

LAW OFFICES OF DANIEL L. FEDER

19
20 By: /s/ Daniel L. Feder
21 Daniel L. Feder
22 Attorneys for Plaintiff
23 CESAR GARCIA
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[PROPOSED] ORDER

Pursuant to above Stipulation, the Court hereby modifies its April 21, 2011 Case Management Scheduling Order as follows:

1. The parties will participate in mediation in this case on or before January 30, 2012;
2. All non-expert discovery shall be completed on or before December 22, 2011; and
3. Plaintiff shall disclose his expert testimony and reports on or before January 30, 2012, Defendants shall disclose their expert testimony and reports on or before February 24, 2012, and all expert discovery shall be completed on or before March 9, 2012.

IT IS SO ORDERED.

Dated: 11/21/11


The Honorable Richard Seeberg
United States District Court Judge